



PATENT
Attorney Docket No. 13726US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Grant L. Schoenhard

Serial No.: 10/000,107

Filing Date: October 30, 2001

For: Inhibitors of ABC Drug
Transporters in Multidrug
Resistant Microbial Cells

Examiner: Ja-Na A. Hines

Group Art Unit No.: 1645

Confirmation No.: 8970

Customer No.: 23446

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DATE OF MAILING: March 5, 2004

**RESPONSE TO OFFICE ACTION OF SEPTEMBER 5, 2003
WITH RESTRICTION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 5, 2003, Applicant elects Group VIII claims with traverse. This response is timely filed, as a Petition for a Five-Month Extension of Time, with a check for the required fee of \$1005.00, is submitted herewith, making the response due on March 5, 2004.

Group I consisted of claims 1-8, stated by the Examiner as drawn to a method of increasing the potency of an anti-microbial agent comprising an ABC transporter and an opioid inhibitor sufficient to reduce efflux of the anti-microbial agent.

Group II consisted of claims 9-16, stated by the Examiner as drawn to a method of increasing the potency of an anti-microbial agent comprising an ABC transporter and an opioid inhibitor sufficient to increase the intracellular concentration of the anti-microbial agent.

Group III consisted of claims 17-24, stated by the Examiner as drawn to a composition for treating microbial infection comprising a substrate of an ABC drug transporter.

Group IV consisted of claims 25-32, stated by the Examiner as drawn to a method of enhancing the anti-microbial agent against a microbe.

Group V consisted of claims 33-40, stated by the Examiner as drawn to a method of suppressing growth of a microbe expressing an ABC drug transporter protein.

Group VI consisted of claims 41-44, stated by the Examiner as drawn to a method of inhibiting a microbial P-glycoprotein homologue in a patient suffering from a microbial infection by administering an inhibitor selected from the group consisting of naltrexone, naloxone, and nalmeffene.

Group VII consisted of claims 45-47, stated by the Examiner as drawn to a method of inhibiting a microbial P-glycoprotein homologue in a patient suffering from a microbial infection by administering an inhibitor having the recited formula.

Group VIII consisted of claims 48-55, stated by the Examiner as drawn to a composition for the treatment of a microbial infection comprising a inhibitor capable of inhibiting a drug transporter protein.

Group IX consisted of claims 56-57, stated by the Examiner as drawn to a method of identifying a compound for improved treatment of microbial infections.

Group X consists of claim 58, stated by the Examiner as drawn to a method of screening for an opioid inhibitor of an ABC drug transporter comprising a determination step.

Group XI consisted of claims 59-60, stated by the Examiner as drawn to a method of screening for an opioid inhibitor of an ABC drug transporter comprising a contact step, a measuring step, a comparison step and identification step.

Group XII consisted of claims 61-62, stated by the Examiner as drawn to a method of treating a microbial infection in an animal comprising administering an ABC drug transporter inhibitor and an anti-microbial agent.

Applicant's election of Group VIII, claims 48-55, are hereby made without prejudice to Applicant's right to pursue the non-elected claims in one or more divisional applications. The Examiner is invited to telephone Applicant's representative if the Examiner believes, for any reason, that personal communication would expedite the prosecution of this application.

Respectfully submitted,

Date: March 5, 2004



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